

### **REMARKS**

The Advisory Action of May 30, 2006, has been considered by the Applicants. Claims 1, 5, 16, and 20 have been amended. Claims 1, 5-16, and 20-32 are pending. Reconsideration of the Application is requested.

The 103(a) rejection of claims 1, 5-12, 16, 20-27, and 30-32 over Fuller and Deubzer was maintained. Applicants traverse the rejection.

In response to the prior Amendment of August 24, 2006, the Examiner responded on page 9 of the current Office Action that Applicants again argued that Fuller failed to teach the use of a basic catalyst in its hydrolysis reaction. This was not the sole basis of Applicants' remarks in the prior Amendment. Applicants also argued that Fuller and Deubzer taught away from the combination of basic catalyst and pyridine as solvent. To repeat, Deubzer explicitly teaches that in order to use his catalysts, the solvent cannot be water-miscible. See col. 3, lines 55-65. Pyridine is known to be miscible with water. Fuller, in his Example 3, uses tetrahydrofuran, methanol, and water as solvents. These solvents explicitly contradict Deubzer's teachings as to allowed combinations of catalyst and solvent. Therefore, there is no motivation to combine these references. MPEP § 2143.01. Applicants request withdrawal of the rejection based on Fuller and Deubzer.

The 103(a) rejection of claims 1, 5-14, 16, 20-22, and 28-32 over Fuller and Pinschmidt, Jr. was maintained. Applicants traverse the rejection.

Applicants note that Pinschmidt, Jr. does not specifically name pyridine as a suitable solvent. Also, he teaches that his reaction proceeds best within a pH range of 3 to 7, and at most a range of 3.0 to 8.0. See col. 5, lines 50-65. However, the  $pK_b$  of pyridine is about 8.7. Pyridine would not fall within the pH teaching of Pinschmidt, Jr. In addition, Pinschmidt, Jr. teaches an acidic pH range. Therefore, Pinschmidt, Jr. teaches away from the use of pyridine as a solvent. MPEP § 2145(X)(D). Because he teaches an acidic pH range, he also prefers the use of acid catalysts. Therefore, Applicants submit that neither reference provides motivation for the use of a basic

catalyst. MPEP § 2143.01. Applicants request withdrawal of the 103(a) rejection over Fuller and Pinschmidt, Jr.

The 103(a) rejection of claim 1-14, 16, 17, 19-22, and 28-32 over Fuller in view of Sato was maintained. Applicants traverse the rejection.

In the prior Amendments filed January 9, 2006 and August 24, 2006, Applicants made specific arguments directed to this rejection. The Examiner still has not responded to these arguments. Applicants request the Examiner's aid by further explaining the remaining basis for the rejection based on Fuller in view of Sato so that Applicants can present new remarks or otherwise advance the prosecution of this rejection. Applicants include, again, the specific arguments made in the past two Amendments for the Examiner's consideration.

The Examiner previously stated, in the Office Action of October 18, 2005, that Sato is relied upon simply for its teaching of solvents (i.e. pyridine) suitable for use in similar reactions. This teaching does not provide motivation to combine the references. MPEP § 2143.01. Sato does not teach the use of pyridine as a solvent; he teaches the use of pyridine as a catalyst between two specific reactants. Neither reactant is similar to poly(vinylbenzyl acetate) and the Examiner has not shown where Fuller or Sato explains how a catalyst suitable for those reactants is suitable for poly(vinylbenzyl acetate). Also, a solvent and a catalyst perform different functions and the recitation of pyridine as a catalyst would not suggest its use as a solvent to one of ordinary skill in the art. Indeed, the teaching of pyridine as a catalyst might teach away from its use as a solvent in order to prevent unwanted or unexpected chemical reactions from occurring. Therefore, the combination of Fuller and Sato would not render obvious the instant claims.

For these reasons, Applicants request withdrawal of the rejection based on Fuller combined with Sato.

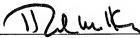
**CONCLUSION**

For the reasons given above, Applicants submit the pending claims (1, 5-16, and 20-32) are in condition for allowance. Withdrawal of the rejections and issuance of a Notice of Allowance is requested.

In the event the Examiner considers personal contact advantageous to the disposition of this case, she is hereby authorized to call Richard M. Klein, at telephone number 216-861-5582, Cleveland, OH.

It is believed that no fee is due in conjunction with this response. If, however, it is determined that fees are due, authorization is hereby given for deduction of those fees, other than the issue fees, from Deposit Account No. 24-0037.

Respectfully submitted,  
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& McKEE LLP

  
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